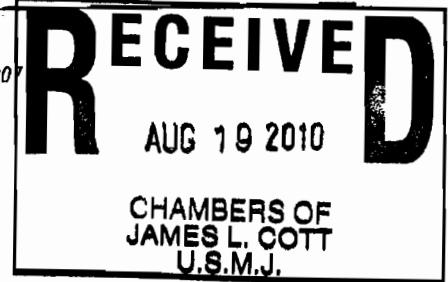




United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

August 19, 2010



By fax: 212.805.7990

The Honorable James L. Cott  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Musumeci v. Department of Homeland Security, 10 Civ. 3370 (RJH) (JLC)

Dear Judge Cott:


This Office represents defendants (the "government") in the above-named action. I am writing to request an extension of time to answer or move with respect to the complaint until September 7, 2010. The government's response is currently due on August 23, 2010. This is the government's third request for such an extension; the first two were granted. Counsel for plaintiff has consented to this request. We seek this extension because the parties are close to reaching a resolution of this matter without further litigation, and need a short additional period to finalize the agreement.

Thank you for your consideration.

Respectfully,

PREET BHARARA  
United States Attorney

By:

  
BENJAMIN H. TORRANCE  
Assistant United States Attorney  
Telephone: 212.637.2703  
Fax: 212.637.2702  
E-mail: benjamin.torrance@usdoj.gov

*The request for an extension until Sept 7, 2010 is GRANTED.*  
**SO ORDERED:**

  
Hon. James L. Cott  
United States Magistrate Judge 8/20/10

cc: Christopher Dunn, Esq. (by fax: 212.607.3318)